



initial determination. (*Id.* at ID#s 8-9). Idella Williams filed this lawsuit on September 15, 2014.

On November 13, 2013, defendant filed a Rule 12(b)(1) motion seeking dismissal of plaintiff's complaint for lack of subject-matter jurisdiction. (docket # 5). Plaintiff ignored the motion and the time for her response expired on December 9, 2014. *See* W.D. MICH. LCIVR 7.2(c). "The plaintiff bears the burden of establishing that jurisdiction exists." *Taylor v. KeyCorp*, 680 F.3d 609, 612 (6th Cir. 2012). Plaintiff did not carry her burden. She ignored defendant's motion. There is no final administrative decision subject to judicial review. 42 U.S.C. §§ 405(g), 1383(c)(3). The court lacks subject-matter jurisdiction.<sup>2</sup> *See Califano v. Sanders*, 430 U.S. 99, 107-09 (1977); *see also Kennedy v. Commissioner*, No. 99-1053, 1999 WL 1336080 (6th Cir. Dec. 21, 1999); *Hardy v. Commissioner*, No. 12-cv-13246, 2013 WL 1976371, at \* 2 (E.D. Mich. Mar. 11, 2013); *Muhammad v. United States Gov't*, 1:08-cv-494, 2009 WL 1525979, at \* 2-3 (W.D. Mich. June 1, 2009).

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3557638, at \* 3-4 (E.D. Tenn. July 18, 2014); *Weaver v. Commissioner*, No. 1:13 cv 303, 2014 WL 1364976, at \* 3-5 (N.D. Ohio Mar. 31, 2014).

<sup>2</sup>Because the court lacks subject-matter jurisdiction, it is not necessary to address the separate issue of whether Idella Williams, a non-attorney, could pursue any claim in this court in a representative capacity. *See* 28 U.S.C. § 1654; *see also Jackson v. Commissioner*, No. 12-cv-13679, 2013 WL 2338716, at \* 2 (E.D. Mich. May 29, 2013).

**Recommended Disposition**

I recommend that defendant's motion to dismiss (docket # 5) be granted and that plaintiff's complaint be dismissed for lack of subject-matter jurisdiction.

Dated: December 17, 2014

/s/ Phillip J. Green

United States Magistrate Judge

**NOTICE TO PARTIES**

Any objections to this Report and Recommendation must be filed and served within fourteen days of service of this notice on you. 28 U.S.C. § 636(b)(1)(C); FED. R. CIV. P. 72(b). All objections and responses to objections are governed by W.D. MICH. LCIVR 72.3(b). Failure to file timely and specific objections may constitute a waiver of any further right of appeal. *See Thomas v. Arn*, 474 U.S. 140 (1985); *Keeling v. Warden, Lebanon Corr. Inst.*, 673 F.3d 452, 458 (6th Cir. 2012); *United States v. Branch*, 537 F.3d 582, 587 (6th Cir. 2008). General objections do not suffice. *See McClanahan v. Comm'r of Social Security*, 474 F.3d 830, 837 (6th Cir. 2006); *Frontier Ins. Co. v. Blaty*, 454 F.3d 590, 596-97 (6th Cir. 2006).